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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES OF AMERICA,)) No. CR-07-0623 EMC
11 Plaintiff,))
12 v.)) **MOTION AND [PROPOSED]**
13 OSCAR LUIS MENDIZABAL-)) **ORDER FOR RELEASE FROM**
14 CUYA,)) **CUSTODY**
15 Defendant)) Hearing: October 3, 2007
16)) Time: 9:30 a.m.
16)) Magistrate Judge Edward Chen/Nandor
17)) Vadas

17 On October 3, 2007, Mr. Oscar Luis Mendizabal-Cuya was sentenced to one week of custody
18 by the Honorable Edward M. Chen, who is not available today to sign this Release Order. At the
19 hearing, both parties agreed that the week would toll on Friday, October 5, 2007, as Mr. Mendizabal-
20 Cuya was arrested by U.S. Park Police on Saturday, September 29, 2007. As today is October 5,
21 2007, and no further custody time was ordered by Judge Chen, Mr. Mendizabal-Cuya now

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2 moves this honorable Court to order his release from federal custody forthwith today, October 5,
3 2007.

4 Dated: October 5, 2007

5 Respectfully submitted,

6 BARRY J. PORTMAN
7 Federal Public Defender

8 /S/

9 ELIZABETH M. FALK
10 Assistant Public Defender

11 **[PROPOSED] ORDER**

12 For the aforementioned reasons, it is hereby **ORDERED** that Mr. Oscar Luis Mendizabal-Cuya
13 be released from federal custody forthwith today, October 5, 2007.

14 **IT IS SO ORDERED**

15 DATED: _____

16 THE HONORABLE NANDOR J. VADAS
17 UNITED STATES MAGISTRATE JUDGE

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ORDER FOR RELEASE
No. CR 3-07-0623 EMC